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2 **IN THE UNITED STATES DISTRICT COURT**
3 **FOR THE EASTERN DISTRICT OF CALIFORNIA**
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7 **JONATHAN MORGAN,**

8 **Plaintiff,**

CV F 05 0620 LJO WMW P

9 **vs.**

ORDER RE MOTION (DOC 18)

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11 **DEPT. OF CORRECTIONS,**

12 **Defendant.**
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14 **Plaintiff is a former state prisoner proceeding pro se. On March 19,**
15 **2007, Plaintiff filed a notice of lodging of a proposed amended complaint.**
16 **On March 26, 2007, an order was entered, advising Plaintiff that his**
17 **motion failed to include a certificate of service. On March 30 and April 3,**
18 **2007, Plaintiff filed a certificate of service of his proposed amended**
19 **complaint. To date, Defendant has not filed an opposition.**

20 **Accordingly, IT IS HEREBY ORDERED that:**

21 **1. The Clerk's Office is directed to file the amended complaint**
22 **lodged with the court on March 19, 2007.**

23 **2. The Clerk's Office shall send to Plaintiff a conformed copy of the**
24 **amended complaint lodged with the court on March 19, 2007.**

25 **3. This action proceeds on the first amended complaint lodged with**
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1 the court on March 19, 2007, and filed in accordance with this order.

2 4. Defendant's response to the first amended complaint is due thirty
3 days from the date of entry of the District Court's order regarding the
4 September 27, 2007, findings and recommendations.

5 IT IS SO ORDERED.

6 Dated: October 2, 2007

/s/ William M. Wunderlich
UNITED STATES MAGISTRATE JUDGE